

Subgrantee Assurance

Pre Disaster Mitigation Program – Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact OES. Further, certain federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for federal assistance, and the institutional, managerial, and financial capability (including funds sufficient to pay the non federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Controller General of the United States, and if appropriate, the State of California, through any authorized representative, access to and the right to examine all records, book, papers or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose, modify use of, or change terms of real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record federal interest in title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure non-discrimination during the useful life of the project
4. Will comply with the requirements of the assistance-awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or state.
6. Will initiate and complete the work within applicable frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain.
8. Will comply with Intergovernmental Personnel Act of 1970 (42 U.S.A. sec.4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OEM's Standards for a Merit System of Personnel Administration (5 C.P.R. 900, Subpart F).
9. Will comply with all federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IF of the Education Amendments 1972, as amended (20 U.S.A. 1681-1683 and 1685-1686) which prohibits discrimination on basis of sex; (c) Section 504 of the Rehabilitation Act 1973, as amended (29 U.S.A. 794), which prohibits discrimination on basis of handicaps; (d) the Age Discrimination Act 1975, as amended (42 U.S.A. 6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse and Treatment Act 1972

(P.L. 93-255), as amended, relating to nondiscrimination on basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention Treatment and Rehabilitation Act 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Services Act 1912 (42 U.S.A. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act 1968 (42 U.S.A. 3601, et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made, and (j) the requirements on any other nondiscrimination statute(s) which may apply to the application.

10. Will comply, or has complied, with requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act 1970 (P.L. 91-646) which provides equitable treatment of persons displaced or whose property is acquired as a result of federal and federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchases.
11. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.A. sec. 4801, et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
12. Will comply with the provisions of the Hatch Act (5 U.S.A. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.
13. Will comply as applicable, with the provisions of the Davis-Bacon Act (40 U.S.A. 276a to 276a-7), the Copeland Act (40 U.S.A. 276c and 18 U.S.A. 874), the Contract Work Hours and Safety Standards Act (40 U.S.A. 327-333), regarding labor standards for federally assisted construction subgrant agreements.
14. Will comply with the flood insurance purchase requirements, Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234), which requires recipients in a Special Flood Hazard Area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11986; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.A. 1451, et seq.); (f) conformity of federal actions to State (Clean Air) Implementations Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.A. 7401 et seq.); (g) protection of underground drinking water under the Safe Drinking Water Act 1974, as amended (P.L. 93-523); (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205); and (i) addresses environmental justice in minority and low-income populations in compliance with EO 12898.

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.A. 1271, et seq.); related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.A 470), EO 11593 (identification and preservation of historic properties), and the Archeological and Historic Preservation Act of 1974 (16 U.S.A. 469a-1, et seq.).
18. Will cause to be performed in the required financial and compliance audits in accordance with the Single Audit Act of 1984.
19. Will comply with all applicable requirements of all other federal laws, Executive Orders, regulations and policies governing this program.

The undersigned represents that he/she is authorized by the subgrantee to enter into this agreement for and on behalf of the said subgrantee.

Name of Authorized Applicant's Agent

Title

Signature of Authorized Applicant's Agent

Date

Authorization

I, _____, do hereby certify as the authorized representative or officer.
(Name)

_____, that the information contained in this application is true and correct.
(Name of Organization)

(Title)

(Signature)

(Date)